

Decision no. 82, dated 26.11.2024

(V-82/24)

Constitutional Court of the Republic of Albania composed of: Holta Zaçaj, President, Marsida Xhaferllari, Fiona Papajorgji, Sonila Bejtja, Sandër Beci, Genti Ibrahimimi, Marjana Semini, Ilir Toska, members, with court secretary Belma Lleshi, on 07.11.2024, took under examination in plenary session on the basis of submitted documents, the case no. 16 (A) 2024 of the Basic Court Register, pertaining to:

APPLICANT: **ARDIAN HYSA, VIOLETA HYSA, ORJETA HYSA, ALIDRIJE KULLOLLI, BRUNILDA KULLOLLI, NADIRE ALLANI, LEONARD ALLANI, OLGERT BRAHJA, MUSTAFA BRAHJA, MELIHA BRAHJA,** represented with power of attorney, by lawyer Arsen Baltëza.

INTERESTED SUBJECTS:

“SIGAL UNIQA GROUP AUSTRIA” JSC (SH.A.), represented by Avni Ponari, General Manager.

OBJECT: **Repeal of decision 00-2023-4412 of the Civil College of the High Court, dated 20.09.2023, as incompatible with the Constitution of the Republic of Albania.**

Remanding of the case to the Civil College of the High Court for further proceedings.

LEGAL BASIS: **Articles 4, 17, point 2, 18, point 1, 33, point 1, 41, points 1 and 2, 42, 131, point 1, letter “f”, 134, point 1, letter “i” and 142, point 1, of the Constitution of the Republic of Albania (*the Constitution*); Articles 6 and 13 of the European Convention on Human Rights; Article 27 of law no. 8577, dated 10 February 2000 “On the organization and functioning of the Constitutional**

**Court of the Republic of Albania”, (*law no. 8577/2000*),
amended.**

Constitutional Court of the Republic of Albania, pursuant to Articles 131, point 1, letter “f” and 134, point 1, letter “i”, of the Constitution, as well as Articles 72 et seq. of Law no. 8577, dated 10 February 2000 “On the organization and functioning of the Constitutional Court of the Republic of Albania”, amended, by majority vote,

DECIDED:

1. Admission of the application.
2. Repeal of decision no. 00-2023-4412 of the Civil College of the High Court, dated 20.09.2023, as incompatible with the Constitution of the Republic of Albania.
3. Remanding of the case to the High Court for further proceedings.

This decision is final and enters into force on the day of its publication in the Official Gazette.